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May 25, 2004

BY HAND DELIVERY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Presentations – MM Docket No. 04-75

Dear Ms. Dortch:

On May 21, 2004, Julian L. Shepard, counsel to Max Media of Montana LLC (“Max Media”), Mr. A. Eugene Loving, President and CEO of Max Media LLC (“Max Media”), and Mr. Allen B. Rider, III, Managing Partner of Colonnade Capital, met separately with Jordan Goldstein, Legal Advisor to Commissioner Copps, and Jon Cody, Legal Advisor to Chairman Powell. Chris Lynch, a Legal Intern, was also in attendance at the meeting with Jon Cody.

In these meetings, Max Media discussed the Request for Expedited Declaratory Ruling (“Request”) filed by Max Media on February 25, 2004 regarding Section 73.658(b) of the Commission’s Rules, 47 C.F.R. § 73.658(b), and the justification for expedited treatment of this request, *i.e.*, the avoidance of further litigation and the mitigation of injuries to competition, KTGF and Max Media. All data and arguments discussed in these meetings are already reflected in the Request and the Comments and Reply Comments filed in the above-referenced proceeding.

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Pursuant to Section 1.1206(b) of the Commission's Rules, an original and one copy of this letter are being submitted to the Secretary's office, with copies to Jordan Goldstein, Jon Cody and Chris Lynch.

Kindly direct any questions regarding this notice to the undersigned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Julian L. Shepard".

Julian L. Shepard

cc: Jordan Goldstein
Jon Cody
Chris Lynch